

Prevailing Wage Opinion Letter 10-16-06

October 16, 2006

I am writing in response to your request for this Office's written opinion regarding the applicability of the Massachusetts Prevailing Wage Laws, G.L. c. 149, §§26-27D. Specifically, you have asked for clarification as to whether the prevailing wage law applies to painting work performed by outside contractors for the XXX Water and Sewer Commission's wastewater treatment facility.

It has been this agency's consistent position (see our letter to Samuel A. Vitali, dated October 22, 1996, referenced in our letter to you of September 1, 2006), that the public construction prevailing wage law, G.L. c. 149, §§26-27D, applies to any construction work done at the XXXX wastewater treatment facility, i.e. any "additions to or alterations of" the wastewater treatment plant by YYYY or its sub-contractors. Painting is considered an addition to or alteration of the facility; therefore, the prevailing wage law applies to such work.

I hope this information has been helpful. If you have any further questions, please feel free to contact me at ---.

Sincerely,
Lisa C. Price
Deputy General Counsel